

## FAY, SHARPE, FAGAN, MINNICH &amp; McKEE, LLP

PATENT TRADEMARK AND COPYRIGHT LAW

MARK E. BANDY  
JOHN P. CORNELI  
JOSEPH D. DREHER  
JUDE A. FRY  
STEVEN M. HAAS  
MICHAEL E. HUDZINSKI  
RICHARD M. KLEIN  
THOMAS E. KOCOVSKY, JR.  
SANDRA M. KOENIG  
SCOTT A. MCCOLLISTER  
JAMES W. MCKEE  
JAY F. MOLDOVANYI  
PHILIP J. MOY, JR.  
TIMOTHY E. NAUMAN

PATRICK R. ROCHE  
JAMES E. SCARBROUGH  
ANN M. SKERRY, Ph.D.  
MARK S. SVAT  
BRIAN E. TURUNG  
GREGORY S. VICKERS  
ROBERT V. VICKERS  
  
OF COUNSEL  
E. KENT DANIELS, JR.  
CHRISTOPHER B. FAGAN  
RICHARD J. MINNICH  
THOMAS E. YOUNG

1100 SUPERIOR AVENUE  
SEVENTH FLOOR  
CLEVELAND, OHIO 44114-2579  
TELEPHONE (216) 861-5582  
FAX (216) 241-1666  
WEB: [www.faysharp.com](http://www.faysharp.com)

MATTHEW P. DUGAN  
PATRICK D. FLOYD  
COLLEEN FLYNN GOSS  
KARL W. HAUBER  
ERIC M. HIGHMAN  
ERIK J. OVERBERGER  
SUE ELLEN PHILLIPS  
ROBERT A. SIDOTI  
SCOTT M. SLABY  
JOSEPH E. WATERS  
JONATHAN A. WITHROW  
JEFFREY N. ZAHN  
MARINA V. ZALEVSKY  
JOHN S. ZANGHI

REGISTERED PATENT AGENTS  
KEVIN M. DUNN  
ROBERT M. SIEG, Ph.D.  
THOMAS TILLANDER  
ALEX P. TSAROUHAS  
GUOSHENG WANG, Ph.D.  
ALBERT P. SHARPE, III  
1959-2001

April 20, 2005

Attn: IPEA/US  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Article 34 Amendment responsive to Written Opinion of the  
International Preliminary Examining Authority  
Applicant: Q-Panel Lab Products Corporation  
Application No.: PCT/US04/06123; Filed 01 March 2004  
Our Reference No.: QPCZ 2 000041 PCT

Dear Examiner:

This Article 34 amendment and the accompanying remarks are being filed concurrently with a Chapter II Demand in response to the Written Opinion of the International Searching Authority.

In this amendment, claims 1, 8, 9, 12 and 13 have been amended. Replacement sheets have been provided. For the benefit of the Examiner, an appendix has been added to indicate changes to the claims where strikethrough portions indicate words that have been deleted from the claim and underlined portions indicate words that have been added to the claim. Claims 32-34 have been cancelled without prejudice.

In Box No. VII of the Written Opinion, the Examiner indicated that numeral 12 is missing from FIGURE 1 and numeral 20 is missing from FIGURE 7. A replacement sheet where numeral 12 has been added to FIGURE 1 accompanies this letter. As for FIGURE 7, numeral 20 is shown in the drawings that were submitted in the Response to Invitation to Correct Defects submitted by Applicant on June 4, 2004.

In the reasoned statement with regard to novelty, inventive step or industrial applicability, the Examiner indicated that claims 1-2, 5-8 and 15-17 lacked inventive step as being obvious over Grossman (U.S. Patent No. 6,285,137) in view of Tomiita (U.S. Patent No. 5,476,636). The Examiner did, however, indicate that claim 12, which depended from claim 1, was patentable. Claim 1 has been amended to include some, but not all, of the limitations recited in original claim 12 and is believed to patentably define over the cited references. Neither Grossman nor Tomiita discloses a multiple blower system and a temperature controller where the temperature controller receives data from a first temperature sensor and a second temperature sensor and controls the blower system in response to the data received. Accordingly, claim 1 and those claims that depend from claim 1 are patentable over the cited references.

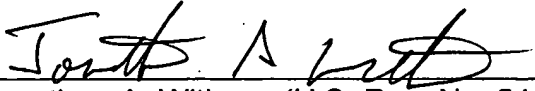
The Examiner indicated that claims 19-23 and 28-31 lacked inventive step as being obvious over Grossman in view of Tomiita and further in view of Kashima (U.S. Patent No. 4,817,447). Claim 19 as filed includes an inventive step over the cited references. Claim 19 recites "wetting the test specimen with a corrosive solution such that drops form on a surface of the test specimen." Tomiita fails to disclose wetting the test specimen such that drops form on the test specimen. To the contrary, Tomiita discloses dipping the sample 6 in a solution and then inclining the sample holder 7 to allow the solution to flow down the sample holder and off of the sample. Accordingly, drops are not formed on the surface of the test specimen, but instead all solution runs off of the test specimen. Not to be limited by the specific examples provided in Applicant's disclosure, by providing drops on the test specimen, the solution can puddle, which more accurately simulates the conditions of an automobile trunk, top or hood. None of the cited references disclose any suggestion to modify Tomiita such that the test specimen is wetted with a corrosive solution such that drops form on the surface of the test specimen. Accordingly, it is submitted that claim 19 and those claims that depend from claim 19 are patentable over the cited references.

In view of the amendments made to the claims and the above remarks, it is submitted that the currently pending claims satisfy the requirements for novelty and inventive step. Reconsideration of the claims as amended herein is respectfully requested prior to issuance of the International Preliminary Examination Report.

Respectfully submitted,

Fay, Sharpe, Fagan,  
Minnich & McKee, LLP

4/21/5  
Date

  
Jonathan A. Withrow (U.S. Reg. No. 54,548)  
1100 Superior Ave.  
Seventh Floor  
Cleveland, Ohio 44114  
216-861-5582 (tel)  
216-241-1666(fax)

Agent for Applicant Q-Panel Lab Products  
Corporation

Enclosures (x3)

FILENAME \p N:\QPCZ\200041\PCT\AMD0004165V001.doc